

December 7, 2004

A regular meeting of the Redmond City Council was called to order by Mayor Rosemarie Ives at 7:30 p.m. in the Council Chambers. Councilmembers present were: Cole, Marchione, McCormick, Paine, Resha, Robinson, and Vache.

#### ANNOUNCEMENTS

The Mayor announced that a representative from the National Guard was scheduled to present Redmond with an award for support of the National Guard and Reserves, but the individual could not attend the meeting tonight, and the presentation will be rescheduled. She recognized Dave Almond, Public Works Engineer, who recently returned from active duty in the military, and was instrumental in the city being recognized with this award.

#### FIRST PLACE AWARD FROM CENTER FOR DIGITAL GOVERNMENT

The Mayor announced that she recently returned from Indianapolis, Indiana where she accepted this award from the National League of Cities and the Center for Digital Government as the nation's most technologically-advanced city in its population category (30,000 - 74,999).

Lenda Crawford, Finance Director and Information Services Director, acknowledged appreciation of the award on behalf of the Information Technology (IT) team, Community Affairs, and Redmond staff. She emphasized that the project was a partnership that was only made possible by everyone involved.

Ms. Crawford introduced the team leaders for their contributions:

- Linda Hermanson, Acting Information Services Manager
- Mark Bailey, Network Services Manager
- Melissa Faga, Manager, Geographic Information Systems
- Mary Kay Wagner, Support Services Manager

Ms. Crawford recognized Peter Robinson, former Information Services Manager, who has since left the city, but was instrumental in helping Redmond reach this milestone and a key individual in making our IT program a success.

#### PRESENTATION: NEIGHBORHOOD MATCHING FUNDS - VALLEY VISTA NEIGHBORHOOD

The Mayor awarded the City of Redmond's thirty-fourth Neighborhood Matching Grant to the Valley Vista neighborhood, represented by Kathy Doyle, Paul Lloyd, and Chad and Lisa Mengel.

The Mayor disclosed that she lives in the Valley Vista Neighborhood.

ITEMS FROM THE AUDIENCE

Councilmember Cole noted the Council's receipt of three pieces of correspondence from Bill Aloof, Richard Grubb, and Bob Yoder related to the Council's November 16, 2004 decision on the Perrigo Heights Sensitive Areas Exception.

David Wobker, 18211 NE 100 Court, asked the Council to use the Community Development Guide and the Code Enforcement officers to enforce regulations on city projects to be equitable to what the city demands of private developers. He cited an example of the new water treatment facility that was rejected by the Design Review Board because the site plan did not follow the rules regarding removal and replacement of trees.

Speaking as a taxpayer on another issue, Mr. Wobker said he was skeptical of any benefit the city would receive by annexing the Washington Cathedral property, and wondered if the owners asked to be annexed so they would not have to meet county requirements.

Councilmember Cole explained that Washington Cathedral needed to annex to be able to get sewer service, and that it is within the city's growth boundary area of property to be annexed into the city.

Bill Aloof, 18024 NE 99 Court, said he was disappointed by the Council's vote on November 16, 2004, and had submitted a request for reconsideration. He said although he appreciated the efforts of Council and staff to look for and preserve the few remaining natural areas in Redmond, he thought there had been a misinterpretation of a key regulation - Section 20D.140.10-210: criteria for alternative locations of utilities/facilities, which says a steep slope cannot be chosen unless nothing else is functionally or economically feasible. He pointed out that the authority of the Sensitive Areas Ordinance is to protect steep slopes, and he felt the Council was setting a precedent by its decision to place the sewer on the steep slope. He urged each Councilmember to think about the rationale for the vote and the larger implications of the decision. He also pointed out that if the Council decides to affirm its decision, the Community Development Guide calls for conditions for the applicant to follow, which are outlined in Section 20D.140.10-21(b) and (c).

Marsha Martin, attorney with Foster Pepper Shefelman, and representing the developer of Perrigo Heights, CamWest, responded to the requests for reconsideration:

- The requests for reconsideration deal with the preliminary plat, which is a decision the Council made in September, and over which the Council no longer has jurisdiction as the reconsideration period has expired.

- Regarding notification, the Hearing Examiner's recommendations were met as far as adequate notice.

Ms. Martin said she testified at the first and second hearings about the functionality and economic feasibility of a lift station versus a gravity system on the hillside, citing cost and long-term maintenance issues for a lift station, which is not economical for the city and the taxpayers.

Celine McKeon, 15127 NE 24 Street #389, expressed her disappointment with the Council's decision and missed opportunity for leadership to preserve Redmond's natural resources by the decision on Perrigo Heights on November 16, 2004. She said that as a citizen, she worked very hard to find a solution to protect one of our last natural urban refuges. She remarked that during the seven and one-half years of the process, there was not adequate opportunity for full public participation and input. If the trees were cut down, she concluded, she would work to the best of her ability to make sure the Councilmembers who participated in the decision would not be in a position to make further decisions on behalf of the citizens of the City of Redmond.

Bob Yoder, 10019 169 Avenue NE, responding to Ms. Martin's comments, said the notice of application had one exception regarding landmark trees. He concluded that there is at least one, and possibly three, landmark trees in the alignment that may have to be removed, depending on drip lines still to be evaluated.

Bill Aloof returned to the podium to thank Mr. Robinson for raising some pertinent issues and the Mayor for asking good questions throughout the process, although he did not think some of the questions were completely answered. He emphasized that the city must continue to take an active role in this issue.

#### CONSENT AGENDA

Motion by Ms. McCormick, second by Mr. Paine, to approve the following items of the Consent Agenda:

- (1) approve the minutes of the regular meetings of October 19, 2004 and November 16, 2004, and Special Meetings of November 23, 2004 and November 30, 2004
- (2) approve the following payroll/direct deposit and claims checks:

PAYROLL/DIRECT DEPOSIT CHECKS:

#159864 through 159954; and  
#130856 through 131441     \$1,151,530.72

CLAIMS CHECKS:

#300975 through 301513     \$4,465,631.90

- (3) approve the King County Emergency Medical Services Advanced Life Support (ALS) Service Contract for the Year 2005, and authorize the Mayor to sign the contract
- (4) authorize the Mayor to execute an agreement with King County to accept King County's contribution of funding and assistance in promoting, educating and evaluating the Demonstration of Performance-Based Trip Reduction Incentive Program through May 31, 2007
- (5) authorize the Mayor to sign an amendment to the interlocal agreement between Yakima County and thirty-five cities for jail services to revise the fee schedule and clarify several outstanding issues regarding the term, billing, medical costs and annual reconciliation
- (6) approve the final plat of Wynstone, PPL 00-004, and authorize the Mayor to sign the Final Approval Order
- (7) approve a consultant agreement with Reid Middleton, Inc. for design and engineering services for Bear Creek Bicycle and Pedestrian Trail, Project No. 100122, in an amount not to exceed \$148,000 including contingencies; authorize the Mayor to sign the agreement; and authorize city staff to obtain all necessary easements or rights-of-way for construction of the project, if required
- (9) approve the final contract amount with Mosbrucker Excavating, Inc., Bothell, Washington, for the base bid amount of \$185,402.70 minus change

orders and bid item decreases, resulting in a final contract amount of \$163,836.47, including applicable Washington state sales tax; and accept construction of the 4800 West Lake Sammamish Parkway Culvert Replacement, Project No. 04-SD-86 (100401), as of December 7, 2004

- (10) approve Resolution No. 1197, setting a public hearing upon a petition for vacation of a certain right-of-way within the City of Redmond, Washington, City File No. L040099, which was presented and read
- (12) adopt Ordinance No. 2240, establishing the 2005 "R" Pay Plan for employees covered by the Redmond City Hall Employees Association representing employees in professional, technical and administrative positions, which was presented and read
- (13) adopt Ordinance No. 2241, setting 2005 salaries for regular and supplemental employees represented by the Washington State Council of County and City Employees, Local 21-RD-RD (AFSCME), which was presented and read
- (14) adopt Ordinance No. 2242, establishing the 2005 "FS" Pay Plan for employees covered by the International Association of Fire Fighters #2829 representing the Fire Support Unit, which was presented and read
- (15) adopt Ordinance No. 2243, establishing the 2005 "PC" Pay Plan for employees covered by the Service Employees International Union (SEIU) Local #519 Public Safety Employees representing the Police Commanders, which was presented and read
- (16) adopt Ordinance No. 2244, amending Pay Plans "N" and "E" in order to set salaries for non-union and executive employees for the year 2005, providing for severability and

establishing an effective date, which was presented and read

(17a)approve the 2002-2004 Labor Agreement with the International Association of Fire Fighters Local #2829 representing the Fire Fighters, which was presented and read

(17b)adopt Ordinance No. 2245, amending the 2002, 2003, and 2004 Fire Pay Plans for employees covered by the International Association of Fire Fighters #2829 representing Fire Fighters, Lieutenants, Captains, and Battalion Chiefs, which was presented and read

Upon a poll of the Council, Cole, Marchione, McCormick, Paine, Resha, Robinson and Vache voted aye. Motion carried unanimously (7 - 0).

WATER SERVICE OUTSIDE CITY LIMITS AT 12805 141 AVENUE NE, OSA 04-002

The Mayor, in a memorandum to the City Council dated December 7, 2004, advised the well serving this property provides a marginal water supply and is anticipated to be used for irrigation on the property when water is available, and recommended approval of service outside the city limits to the Craig residence.

Councilmember Marchione said the staff memorandum does not necessarily state the rationale for extending service to the Craig residence, and from reading it he did not gather there was an emergency or an agreement that the property would be annexed later.

Bill Campbell, City Engineer/Assistant Director of Public Works, explained that the residence is in the old Rose Hill Annexation area, the pipe goes by the property, and the Craig residence is currently being served by a well that has marginal drinking water. He added that in similar circumstances, the city has agreed to provide service.

Motion by Mr. Marchione, second by Ms. McCormick, to approve water service outside the city limits to the Craig residence, 12805 141 Avenue NE, via a new water meter connected to an existing twelve-inch diameter City of Redmond watermain in 141 Avenue NE. Motion carried unanimously (7 - 0).

#### RESOLUTION - HAZARD MITIGATION PLAN

The Mayor, in a memorandum to the City Council dated December 7, 2004, recommended adoption of the Hazard Mitigation Plan to comply with the Federal Disaster Mitigation Act of 2000 and advised that adoption would keep the city eligible for any future Hazard Mitigation Grant Program funding from FEMA (Federal Emergency Management Agency).

Motion by Mr. Robinson, second by Ms. McCormick, to approve Resolution No. 1198, adopting the Redmond Hazard Mitigation Plan.

Upon a poll of the Council, Cole, Marchione, McCormick, Paine, Resha, Robinson, and Vache voted aye. Motion carried unanimously (7 - 0).

#### OMBUDSMAN REPORT

Councilmember McCormick said she heard from a citizen about a dangerous situation on the newly reconstructed 148 Avenue, wherein the short distance provided to maneuver across traffic lanes in order to travel east on NE 80 Street does not allow enough time to cross the road safely.

The Mayor reported that the city has received positive feedback on the Localized Efficiency Action Program (LEAP) projects to provide safety for pedestrians.

#### LEGISLATIVE AGENDA

Councilmember McCormick reported that at the last Association of Washington Cities (AWC) meeting, the group heard about additional tools to improve transportation in the region, and it will be discussed at the Subregional Council meeting on December 8, 2004. She reminded the Council to submit suggestions to the City Clerk and advised this item will be on the Redmond City Council's January 4, 2005 agenda.

#### REDMONDLIGHTS EVENT

The Mayor thanked staff and the community for the success of the Sixth Annual Redmond Lights kickoff event that will be going on for the month of December.

MOTION FOR RECONSIDERATION - PERRIGO HEIGHTS SEWER SERVICE

James E. Haney, City Attorney, stated that a Motion for Reconsideration needs to come from someone who voted in the majority. Since none of the Councilmembers moved to reconsider, the request did not come before the Council.

Councilmember Cole said he still believed the sewer line the Council approved was the best option.

Councilmember McCormick commented that the zoning on the Perrigo Heights property took place as early as 1979. She clarified that the Council had only three choices of putting in the sewer line. She agreed with Councilmember Cole that a sewer pump station was not a viable method. She said cost had nothing to do with her opinion; rather, the city has had a sewer plan in place for many years that has opposed sewer lift stations and pump stations, and nothing she heard during the process caused her to change her opinion.

Councilmember Marchione said after considering the economic feasibility, he came to the same conclusion as Councilmembers McCormick and Cole. As to Mr. Aloof's comments and others who have said the Council ignored the public, he said the Council can have that discussion after the issue is no longer quasi-judicial.

The Mayor advised that the upzoning took place in 1985. She said the city has always tried to engage people years in advance of such decisions, but it is difficult to try to convince people to pay attention to the issues when it is timely. She said she looked forward to working closely with CamWest to consider the possibilities, and to representing the interest of people within the law. She commended the public for its interest in the issue.

ADJOURNMENT

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 8:35 p.m.

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MAYOR

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DEPUTY CITY CLERK`